

CHAPTER NO. 986

HOUSE BILL NO. 2259

By Representatives Buck, Newton and Mr. Speaker Naifeh and Representatives Jackson, McAfee, Stulce, Maddox, Kent, Roach, Fitzhugh, Ralph Cole, Lewis, Hargett, Garrett, White, Kisber, Mike Walker, Kerr, McDaniel, Mumpower

Substituted for: Senate Bill No. 2166

By Senators Cohen, Person, Gilbert, Cooper, Haynes, Jordan, Haun, McNally, Fowler

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 10, Part 4 to enact the "Most Aggravated Drunk Drivers Act of 1998".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Most Aggravated Drunk Drivers Act of 1998".

SECTION 2. Tennessee Code Annotated, Section 55-10-406, is amended by adding the following to the end of subsection (a)(3):

If the court finds that the driver of a motor vehicle involved in an accident in which one (1) or more persons suffer serious bodily injury violated this subsection by refusing to submit to such a test, the court shall suspend the license of such driver for a period of two (2) years. If the court finds that the driver of a motor vehicle involved in an accident in which one (1) or more persons are killed violated this subsection by refusing to submit to such a test, the court shall suspend the license of such driver for a period of five (5) years.

SECTION 3. Tennessee Code Annotated, Section 55-10-403, is amended by inserting the following between the first and second sentences of subsection (a)(1):

In addition to the other penalties set out for a first offense violation, if at the time of such offense the alcohol concentration in such person's blood or breath is twenty-hundredths of one percent (.20%) or more, the minimum period of confinement for such person shall be seven (7) consecutive calendar days rather than forty-eight (48) hours. The provisions of this section shall constitute an enhanced sentence, not a new offense.

SECTION 4. This act shall take effect July 1, 1998, the public welfare requiring it.

PASSED: April 29, 1998


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 18th day of May 1998


DON LINDQUIST, GOVERNOR